

REMARKS

Summary of the Office Action

The disclosure is objected to because of informalities.

Claims 1 and 4 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1-2 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 4,406,927 to *Pommer, II* ("Pommer").

Claims 4-5 would be allowable if rewritten to overcome the rejection under 35 U.S.C. § 112, second paragraph, set forth in this Office Action and to include all of the limitations of the base claim and any intervening claims.

Claim 5 being dependent from claim 4 would also be allowable.

Objection to the Disclosure

The disclosure is objected to because of informalities. Applicant has reviewed a copy of the application filed October 22, 2003 and also reviewed the application on-line from the U.S. Patent and Trademark website. Applicant cannot locate the typographical error indicated by the Office Action on page 2, line 2 of the specification. Applicant respectfully requests that the objection to the specification on page 2, line 2 be withdrawn.

Summary of the Response to the Office Action

Applicant has canceled claims 1 and 2 without prejudice or disclaimer and amended claim 4. Accordingly, claims 4 and 5 are presently pending.

The Rejection Under 35 U.S.C. § 112, second paragraph

Claims 1 and 4 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicant has canceled claim 1, and amended claim 4 in accordance with the comments in the Office Action. Applicant respectfully submits that claim 4 as amended, and claim 5 being dependent from claim 4, fully complies with the requirements of 35 U.S.C. § 112, second paragraph. Accordingly, Applicant respectfully requests that the rejection of claim 4 be withdrawn and claims 4 and 5 be passed on to allowance.

The Rejection Under 35 U.S.C. § 103(a)

Claims 1-2 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 4,406,927 to *Pommer, II* (“Pommer”). Applicant has canceled claims 1-2. Applicant respectfully requests that the rejection under 35 U.S.C. § 103(a) be withdrawn.

CONCLUSION


In view of the foregoing, Applicant respectfully requests entry of the amendments to place the application in clear condition for allowance, or in the alternative, in better form for appeal. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicant's undersigned representative to expedite prosecution.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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